



W.P. No.3763 of 2023

IN THE HIGH COURT OF JUDICATURE AT MADRAS

DATED : 09.02.2023

CORAM

THE HONOURABLE MR.JUSTICE R.SURESH KUMAR

W.P. No.3763 of 2023

B.Mahalakshmi Pathar

... Petitioner

Vs.

1.Union of India,
Rep. By Chief Secretary to Government,
Government of Puducherry,
Puducherry.

2.The Director,
Department of Land Survey,
Puducherry – 605 013.

... Respondents

PRAYER : Petition filed under Article 226 of the Constitution of India, praying for issuance of a Writ of Mandamus directing the respondents to consider the petitioner representation dated 14.11.2022 by surveying the lands in Survey No.280/13 situated at Thattanchavadi Village, Oulgaret Taluk, Puducherry and issue the correct measurements.

For Petitioner : Mr.K.Shyam Sunder

For Respondents : Mr.R.Sreedhar
Addl. Govt. Pleader (Puducherry)

ORDER

The prayer sought for herein is for a writ of mandamus directing the respondents to consider the petitioner's representation dated



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14.11.2022 by surveying the lands in Survey No.280/13 situated at Thattanchavadi Village, Oulgaret Taluk, Puducherry and issue the correct measurements.

2. Even though the petitioner sought for a prayer seeking a mandamus to the respondents especially the 2nd respondent to consider his representation dated 14.11.2022 and the same has been reiterated by the learned counsel for the petitioner, Mr.R.Sreedhar, learned Additional Government Pleader appearing for the respondents on instruction would submit that, if at all the petitioner wants to survey his land, he has to give such application under Section 8(1) of the Puducherry Survey and Boundaries Act, 1967 to the Survey Officer attached with the office of the 2nd respondent, unless such an application is properly given to the concerned officer viz., Survey Officer is not a party herein, the plea of the petitioner cannot be considered.

3. I have considered the said submissions made by the learned counsel for the parties especially the stand taken by the learned Additional Government Pleader for the respondents.



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4. In view of the above, this Court is inclined to dispose of this

writ petition with the following orders:

That it is open to the petitioner to make an appropriate application to the Survey Officer attached to the 2nd respondent Office under Section 8(1) of the Puducherry Survey and Boundaries Act, 1967 at the earliest and on receipt of such application if any made by the petitioner, the Survey Officer of the 2nd respondent Office shall consider the same and do the needful by completing the survey in accordance with law within a period of eight weeks thereafter.

5. With this direction, this Writ Petition is disposed of. No costs.

09.02.2023

Index : Yes / No

Speaking Order : Yes / No

Sgl

To

1. The Chief Secretary to Government,
Union of India,
Government of Puducherry, Puducherry.
2. The Director,
Department of Land Survey,
Puducherry – 605 013.



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R.SURESH KUMAR, J.

Sgl

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